BILL NO. Z-74-12-20

ZONING MAP ORDINANCE NO. Z-04-76

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. DD13

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. DD13 referred to therein, established by Section 9, Article III of said Chapter as amended, is hereby changed accordingly, to-wit:

TRACT "A"

A tract of land in the Southeast Quarter of the Northeast Quarter of Section 28, Township 31 North, Range 12 East, in Allen County, Indiana more particularly described as follows: Beginning at an iron pin on the West line of the Southeast Quarter of the Northeast Quarter of said Section 28, said iron pin being situated 16.5 feet South of the Northwest corner of the Southeast Quarter of the Northeast Quarter of said Section 28; thence East, 306 feet to the centerline of Goshen Road (Business U.S. #30); thence South 41 degrees 12 minutes East, 420.0 feet; thence Southwest 752 feet by deed, found to be South 51 degrees 24 minutes West, 757 feet to an iron pin on the West line of the Southeast Quarter of the Northeast Quarter of said Section 28; thence North, 785 feet by deed, found to be North zero degrees 40 minutes East, 785 feet to the place of beginning. Excepting therefrom the following described tract;

TRACT "B"

Commencing at the Northwest corner of the Southeast Quarter of the Northeast Quarter of Section 28, Township 31 North, Range 12 East, Allen County, Indiana; thence South 16.5 feet; thence East 306 feet to the centerline of Goshen Road (Business U.S. #30); thence South 41 degrees 12 minutes East, 99.8 feet to the point of beginning; thence continuing South 41 degrees 12 minutes East, 129 feet; thence South 48 degrees 48 minutes West, 207 feet to an iron pin; thence North 41 degrees 12 minutes West, 129 feet to an iron pin; thence North 48 degrees 48 minutes East, 207 feet to the place of beginning containing 0.613 acre more or less.

Tract "A" contains 5.79 acres more or less. Both tracts are subject to all legal highways

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

APPROVED AS TO FORM AND LEGALITY,
CITY ATTORNEY

APPROVED AS TO FORM AND LEGALITY,
CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by Haus, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) ~~and Public Hearing to be held after due legal~~ notice, at ~~the Council Chambers, City-County~~ Building, Fort Wayne, Indiana, on _____, the ~~_____ day of~~ _____, 197___, at _____ o'~~clock P.M.,E.S.T.~~

Date: 12-17-74 Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage.

Passed (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
TOTAL VOTES	8	0		1	
BURNS	✓				
HINGA	✓				
HUNTER	✓				
MOSES				✓	
NUCKOLS	✓				
SCHMIDT, D.	✓				
SCHMIDT, V.	✓				
STIER	✓				
TALARICO	✓				

DATE: 4-27-76 Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. Z-04-76 on the 27th day of April, 1976.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

James S. Stier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of April, 1976, at the hour of 11:00 o'clock A. M.,E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 6th day of MAY, 1976, at the hour of 4:30 o'clock P M.,E.S.T.

Robert E. Armstrong
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 17, 1974, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-74-12-20; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 20, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 22, 1975.

Certified and signed this
29th day of September, 1975.

Charles N. Hall
Secretary

Hold

Bill No. Z-74-12-20

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. DD13

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance ~~PASS~~. SAMUEL TALARICO

Eugene Kraus, Jr. - Chairman

John Nuckols - Vice-Chairman

Vivian G. Schmidt

Paul M. Burns

Donald J. Schmidt

Held

Bill No. Z-74-12-20

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. DD13

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

John Nuckols - Chairman

Paul M. Burns - Vice-Chairman

Vivian G. Schmidt

Winfield C. Moses, Jr.

Donald J. Schmidt

CONCURRED IN
DATE 4-27-76 CHARLES W. WESTERMAN, CITY CLERK

Prescribed by State Board of Accounts

A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 352

RECEIPT

GENERAL FUND

№ 003

FT. WAYNE, IND., Dec 3 1974

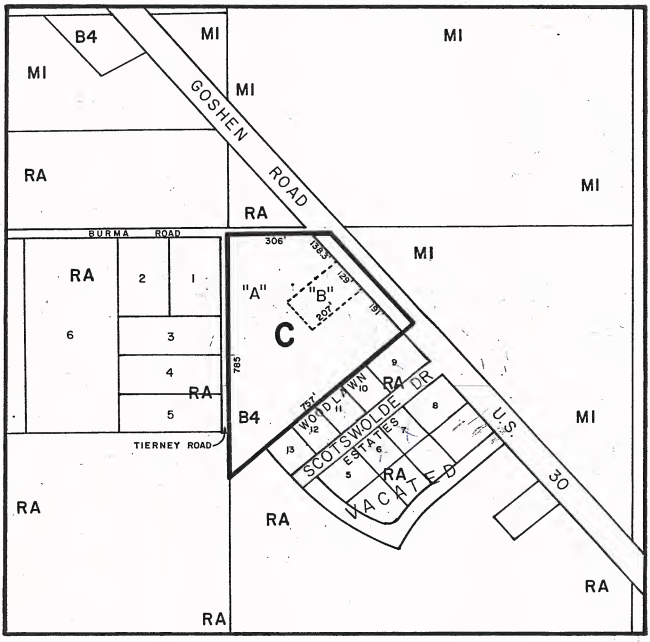
RECEIVED FROM The Huguenard Corp $ 50.00

THE SUM OF Fifty dollars 00/100 DOLLARS

ON ACCOUNT OF Rezoning on Oakhen Rd

Becky [illegible]

AUTHORIZED SIGNATURE



C CHANGE FROM B4 TO MI

2-74-12-20

N

DATE 12-3-74

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____

Intended Use _____

I/We The Huguenard Corporation
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an B4 district to a/an M1 district the property described as follows:

TRACT "A" and TRACT "B" in Part of the Southeast Quarter of the Northeast Quarter of Section 28, Township 31 North, Range 12 East in Allen County, Indiana (See complete legal description attached).

(Legal Description)

Southwest corner of Goshen Road at Burma Road.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
The Huguenard Corporation	4410 Executive Blvd.	Ft. Wayne, Indiana
(Tract "A")	By Ronald E. Huguenard, Pres.	Ronald E. Huguenard

Legal Description Checked By: _____
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

(Name)	(Address)	(Telephone Number)
Ronald E. Huguenard	4410 Executive Blvd., Ft. Wayne, IN	219-484-0484

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE, INDIANA, 46802 Telephone Number: 423-7571

Part of the Southeast Quarter of the Northeast Quarter of Section 28, Township 31 North, Range 12 East in Allen County, Indiana

TRACT "A"

A tract of land in the Southeast Quarter of the Northeast Quarter of Section 28, Township 31 North, Range 12 East, in Allen County, Indiana more particularly described as follows: Beginning at an iron pin on the West line of the Southeast Quarter of the Northeast Quarter of said Section 28, said iron pin being situated 16.5 feet South of of the Northwest corner of the Southeast Quarter of the Northeast Quarter of said Section 28; thence East, 306 feet to the centerline of Goshen Road (Business U.S. # 30); thence South 41 degrees 12 minutes East, 420.0 feet; thence Southwest 752 feet by deed, found to be South 51 degrees 24 minutes West, 757 feet to an iron pin on the West line of the Southeast Quarter of the Northeast Quarter of said Section 28; thence North, 785 feet by deed, found to be North zero degrees 40 minutes East, 785 feet to the place of beginning. Excepting therefrom the following described tract;

TRACT "B" Commencing at the Northwest corner of the Southeast Quarter of the Northeast Quarter of Section 28, Township 31 North, Range 12 East, Allen County, Indiana; thence South 16.5 feet; thence East 306 feet to the centerline of Goshen Road (Business U.S. # 30); thence South 41 degrees 12 minutes East, 99.8 feet to the point of beginning; thence continuing South 41 degrees 12 minutes East, 129 feet; thence South 48 degrees 48 minutes West, 207 feet to an iron pin; thence North 41 degrees 12 minutes West, 129 feet to an iron pin; thence North 48 degrees 48 minutes East, 207 feet to the place of beginning containing 0.613 acre more or less.

Tract "A" contains 5.79 acres more or less. Both tracts are subject to all legal highways.

I, Dean M. Brenneman, hereby certify that I am a Land Surveyor licensed in compliance with the laws of the State of Indiana; and that the above plat and description correctly represent a survey completed by me on July 16, 1966. All monuments and distances are to the best of my knowledge accurately shown.

Dean M. Brenneman

(219) 484-0484

THE HUGUENARD CORPORATION

4410 Executive Blvd.
Fort Wayne, Indiana 46808

The City of Fort Wayne
One Main Street
Fort Wayne, Indiana

Re: Bill No. Z-74-12-20
From "B4" to "M1"
Southwest corner of Burma Rd. & Goshen Rd.

Gentlemen:

This letter is in regards to the conditions proposed by the City Plan Commission for the above mentioned bill and property and as set forth in the letter dated January 29, 1975. At the City Plan Commission meeting on September 22, 1975 some of the conditions stated in this letter are no longer applicable.

1. The required dedication of additional right-of-way along the entire length of Burma Road frontage will not be required. It was determined that traffic is to be de-emphasized with no new entrance to be constructed on Burma Road.
2. The present right-of-way on Goshen Road is 45' from centerline of road to our property line. Should future street improvements be constructed, The Huguenard Corporation would hereby dedicate up to an additional 10' of right-of-way for construction purposes of the new improvement along the Goshen Road.
3. A variance to permit a drive way onto Goshen Road along the south property line is to be permitted.
4. The Huguenard Corporation hereby agrees that all on-site storage will be enclosed.
5. We shall construct a 7' opaque fence along a portion of the south property line for a distance of approximately 350' for protection of the two homes on Scotswolde Drive. An enclosed opaque fence will be constructed around three sides of the proposed new office and shop to be occupied by our company. At any time in the future should we decide to build a structure on the remaining property that would be objectionable to the residents on Tierney Drive, we would construct a 7' opaque fence along the west property line.

Very truly yours,
HUGUENARD CORPORATION

Ronald E. Huguenard
President

REH:jgs

THE CITY OF FORT WAYNE
engineering department
7th floor, city-county building
one main street, fort wayne, indiana 46802

September 19, 1975

City Plan Commission

Subject: Goshen Road--Burma Road Rezoning

We have been requested to review the street layout and future traffic flow for the area located above. We note there is a request before you for rezoning by the Huguenard Corporation.

We have personally inspected the area and note the residential development on Burma and Tierney Drive is scattered and average to below average housing.

In considering alternatives, we anticipate changes in land use and intensified development in the future. With these changes will come increased traffic flows. Basically, we see two alternatives in developing an overall street plan for this area.

1. Approve a new major entrance along the southerly edge of the Huguenard property (as proposed by Huguenard Corporation) with the required decel and accel lanes on Goshen Road. This new entrance would become a public road and the major access for future industrial development to the south and west. In conjunction with this approval, it should be stipulated there will be no access from the Huguenard property or any other commercially developed property onto Burma or Tierney Drive. In effect, we are holding a status quo on this road as residential only and de-emphasizing its use in the future.

If, in the future, property along Burma Road is rezoned, it would then be necessary the access onto Goshen be closed and all traffic routed south on Tierney to the new entrance constructed in the Huguenard property.

2. Require Huguenard Corporation to utilize Tierney and Burma Road as a major access, including relocation of the intersection of Goshen and Burma to form a 90° intersection (this would require new right-of-way from the property north of Burma and west of Goshen).

In summary, we feel two major access points with heavy use at a location of less than 400 feet apart will constitute a serious traffic hazard. Therefore, one of the two alternatives above must be chosen.

AN EQUAL OPPORTUNITY EMPLOYER

THE CITY OF FORT WAYNE

We have discussed this with Mr. Huguenard, and he supports alternative #1. We have no objection, providing the commission is cognizant of the conditions regarding future use of Burma and Tierney Drive.

Sincerely,

Kenneth N. Traylor, P.E.
Chief Street Engineer

Thomas A. Manny
Traffic Engineer

CC: Board of Public Works
Ronald Bonar

THIS FORM HAS BEEN APPROVED BY THE INDIANA STATE BAR ASSOCIATION FOR USE BY LAWYERS ONLY. THE SELECTION OF A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS AND INSERTION OF SPECIAL CLAUSES, CONSTITUTES THE PRACTICE OF LAW AND SHOULD BE DONE BY A LAWYER.

QUIT-CLAIM DEED

This indenture witnesseth that THE HUGUENARD CORPORATION, an Indiana Corporation,

of Allen *County in the State of* Indiana

Releases and quit claims to THE CITY OF FORT WAYNE AND THE PUBLIC IN GENERAL,

of Allen *County in the State of* Indiana

for and in consideration of $2.00 and other good and valuable consideration, *the receipt whereof is hereby acknowledged, the following Real Estate in* Allen *County in the State of Indiana, to wit:*

A tract of land in the Southeast Quarter of the Northeast Quarter of Section 28, Township 31 North, Range 12 East, in Allen County, Indiana more particularly described as follows: Beginning at a point of intersection of the center line of Burma Road and the West line of the Southeast Quarter of the Northeast Quarter of said Section 28; thence South along the said West line of the Southeast Quarter of the Northeast Quarter of said Section 28 a distance of 25 feet; thence due East to the center line of Goshen Road (Business U.S. #30); thence North and West along the center line of the said Goshen Road to its intersection with the center line of the Burma Road; thence due West along the center line of the Burma Road to the point of beginning.

The within deed is given for the purpose of dedicating additional right-of-way for the Burma Road and is upon the express condition that in the event said Burma Road should at any time be vacated or the area herein dedicated be abandoned for road purposes, then the same shall immediate revert to the Grantor, its successors and assigns.

State of Indiana, Allen **County, ss:**

Before me, the undersigned, a Notary Public in and for said County and State, this day of 19 *personally appeared:*

The Huguenard Corporation, an Indiana Corporation, by Ronald Huguenard, its President.

And acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal. My commission expires October 20 19 78

Linda S. Nicholas
Linda S. Nicholas *Notary Public*

Dated this 18th **Day of** August 1975

THE HUGUENARD CORPORATION

BY: Ronald Huguenard *Seal*
RONALD HUGUENARD, President

Seal

Seal

Seal

Seal

Seal

This instrument prepared by Richard I. Snouffer, *Attorney at Law*

MAIL TO:

Number assigned by Dave Keller's Office: # 3581 Admn. Appr. ✓

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment Ordinance 3-74-12-20

DEPARTMENT REQUESTING ORDINANCE Community Development and Planning / Division of Long Range Planning and Zoning

SYNOPSIS OF ORDINANCE

Petitioners are requesting the rezoning of the following described parcel of ground.

A parcel of ground, containing six (6) acres, more or less, generally located on the southwest corner of Burma Road and Goshen Road, and north of Woodlawn Estates Addition.

From "B4" to "M1"

EFFECT OF PASSAGE Property is presently zoned a "B4" District - Roadside Business. Petitioners are requesting an "M1" District - Light Industrial.

EFFECT OF NON-PASSAGE Property would remain a "B4" District.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.) Regulation

CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN
CITY CLERK

May 7, 1976

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of May 11 and May 18, 1976, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Bill No. Z-74-12-20
Zoning Map No. Z-04-76

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman

Charles W. Westerman
City Clerk

CWW/ne
Encl: 1

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head	number of lines	
	umber of lines	125
	umber of lines	2
	otal number of lines in notice	127

Notice is hereby given that on the 27th day of April, 1976, the Common Council of the City of Fort Wayne, Indiana, in a regular session, did pass the following Bill: No. Z-74-12-20, Z-04-76 Zoning Map Ordinance, to-wit:
BILL NO. Z-74-12-20
ZONING MAP ORDINANCE
NO. Z-04-76
An ordinance amending the City of Fort Wayne Zoning Map No. DD13
Be it ordained by the Common Council of the City of Fort Wayne, Indiana:
SECTION 1. That the area described as follows is hereby designated a M1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. DD13 referred to therein, established by Section 9, Article III of said Chapter as amended, is hereby changed accordingly, to-wit:
TRACT "A"
A tract of land in the Southeast Quarter of the Northeast Quarter of Section 28, Township 31 North, Range 12 East, in Allen County, Indiana more particularly described as follows: Beginning at an iron pin on the West line of the Southeast Quarter of the Northeast Quarter of said Section 28, said iron pin being situated 16.5 feet South of the Northwest corner of the Southeast Quarter of the Northeast Quarter of said Section 28; thence East, 306 feet to the centerline of Goshen Road (Business U.S. #30); thence South 41 degrees 12 minutes East, 420.0 feet; thence Southwest 752 feet by deed, found to be South 51 degrees 24 minutes West, 757 feet to an iron pin on the West line of the Southeast Quarter of the Northeast Quarter of said Section 28; thence North, 785 feet by deed, found be be North zero degrees 40 minutes East, 785 feet to the place of beginning. Excepting therefrom the following described tract:
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Commencing at the Northwest corner of the Southeast Quarter of the Northeast Quarter of Section 28, Township 31 North, Range 12 East, Allen County, Indiana; thence South 16.5 feet; thence East 306 feet to the centerline of Goshen Road (Business U.S. #30); thence South 41 degrees 12 minutes East, 99.8 feet to the point of beginning; thence continuing South 41 degrees 12 minutes East, 129 feet; thence South 48 degrees 48 minutes West, 207 feet to an iron pin; thence North 41 degrees 12 minutes West, 129 feet to an iron pin; thence North 49 degrees 48 minutes East, 207 feet to the place of beginning containing 0.613 acre more or less.

Tract "A" contains 5.79 acres more or less. Both tracts are subject to all legal highways
SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.
JOHN NUCKOLS
Councilman
Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:
Ayes: Eight, Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One, Moses
Date: 4-27-76
CHARLES W. WESTERMAN
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-04-76 on the 27th day of April, 1976.
ATTEST: (SEAL)
Charles W. Westerman
City Clerk
James S. Stier
Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of April, 1976, at the hour of 11:00 o'clock A.M., E.S.T.
CHARLES W. WESTERMAN
City Clerk
Approved and signed by me this 6th day of May, 1976, at the hour of 4:30 o'clock P.M., E.S.T.
ROBERT E. ARMSTRONG
Mayor
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-04-76 passed by the Common Council on the 27th day of April, 1976, and that said Ordinance was duly signed and approved by the Mayor on the 6th day of May, 1976 and now remains on file and on record in my office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 28th day of April, 1976.
CHARLES W. WESTERMAN
City Clerk

5—11-38

	CHARGES	
	lines, 1 columns wide equals 127 equivalent lines at .288¢ cents per line	$ 36.58
	al charge for notices containing rule or tabular work (50 per cent of above	
	or extra proofs of publication (50 cents for each proof in excess of two)	1.50
	TOTAL AMOUNT OF CLAIM	$ 38.08
	TING COST	
	single column 11 ems — Size of type 5½ point	
	of insertions 2 — Size of quad upon which type is cast 5½	

vision and penalties of Ch. 89, Acts 1967,

the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just part of the same has been paid.

V. E. Gerken

Title CLERK

....., 19 76

H COPY OF
EMENT HERE

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city (town) of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows:

5/11-18/76

V. E. Gerken

Subscribed and sworn to before me this 18th day of May, 19 76

Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head	number of lines	
Body	number of lines	125
Tail	number of lines	2
	Total number of lines in notice	127

COMPUTATION OF CHARGES

127 lines, 1 columns wide equals 127 equivalent lines at .288¢ cents per line	$ 36.58
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	1.50
TOTAL AMOUNT OF CLAIM	$ 38.08

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Gerken

Date May 18, 19 76

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

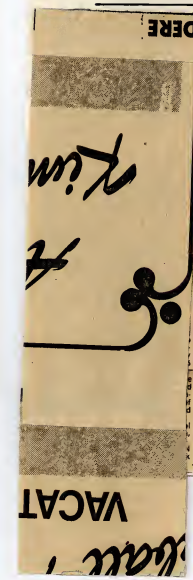
5/11-18/76

V. E. Gerken

Subscribed and sworn to before me this 18th day of May, 19 76

Harry V. O[illegible]
Notary Public

My commission expires September 28, 1979



H COPY OF
EMENT HERE

Form Prescribed by State Board of Accounts — General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne (Governmental Unit) — To JOURNAL-GAZETTE Dr.

Allen County, Ind. — FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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e foregoing account is just and correct, that the amount claimed is legally due, after allowing all just t of the same has been paid.

Arvilla DeWald

, 19 76 — Title CLERK

Notice is hereby given that on the 27th day of April, 1976, the Common Council of the City of Fort Wayne, Indiana, in a regular session did pass the following Bill No. Z-76-12-26, Z-04-76 Zoning Map Ordinance, to-wit:

BILL NO. Z-76-12-20

ZONING MAP ORDINANCE NO. Z-04-76

An ordinance amending the City of Fort Wayne Zoning Map No. D013

Be it ordained by the Common Council of the City of Fort Wayne, Indiana:

SECTION 1. That the area described as follows is hereby designated a M1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. D013 referred to therein, established by Section 9, Article III of said Chapter as amended, is hereby changed accordingly, to-wit:

TRACT "A"

A tract of land in the Southeast Quarter of the Northeast Quarter of Section 28, Township 31 North, Range 12 East, in Allen County, Indiana more particularly described as follows: Beginning at an iron pin on the West line of the Southeast Quarter of the Northeast Quarter of said Section 28, said iron pin being situated 16.5 feet South of the Northwest corner of the Southeast Quarter of the Northeast Quarter of said Section 28; thence East, 306 feet to the centerline of Goshen Road (Business U.S. #30); thence South 41 degrees 12 minutes East, 420.6 feet; thence Southwest 752 feet by deed, found to be South 51 degrees 24 minutes West, 757 feet to an iron pin on the West line of the Southeast Quarter of the Northeast Quarter of said Section 28; thence North, 785 feet by deed, found to be North zero degrees 49 minutes East, 785 feet to the place of beginning. Excepting therefrom the following described tract:

TRACT "B"

Commencing at the Northwest corner of the Southeast Quarter of the Northeast Quarter of Section 28, Township 31 North, Range 12 East, Allen County, Indiana; thence South 16.5 feet; thence East 306 feet to the centerline of Goshen Road (Business U.S. #30); thence South 41 degrees 12 minutes East, 99.8 feet to the point of beginning; thence continuing South 41 degrees 12 minutes East, 129 feet; thence South 49 degrees 48 minutes West, 207 feet to an iron pin; thence North 41 degrees 12 minutes West, 129 feet to an iron pin; thence North 49 degrees 48 minutes East, 207 feet to the place of beginning containing 0.613 acre more or less.

Tract "A" contains 5.79 acres more or less. Both tracts are subject to all legal highways

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

JOHN NUCKOLS
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight. Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Absent: One, Moses

Date: 4-27-76

CHARLES W. WESTERMAN
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-04-76 on the 27th day of April, 1976.

ATTEST: (SEAL)
Charles W. Westerman
City Clerk
James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of April, 1976, at the hour of 11:00 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN
City Clerk

Approved and signed by me this 4th day of May, 1976, at the hour of 4:30 o'clock P.M., E.S.T.

ROBERT E. ARMSTRONG
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-04-76 passed by the Common Council on the 27th day of April, 1976, and that said Ordinance was duly signed and approved by the Mayor on the 4th day of May, 1976 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 28th day of April, 1976.

CHARLES W. WESTERMAN
City Clerk

5—11-18

OPY OF
ENT HERE

PUBLISHER'S AFFIDAVIT

State of Indiana, ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city } of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows:

5/11-18/76

Arvilla DeWald

Subscribed and sworn to before me this 18th day of May 19 76

Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines 125

Tail number of lines 2

Total number of lines in notice 127

COMPUTION OF CHARGES

127 lines, 1 columns wide equals 127 equivalent lines at .288¢ cents per line $ 36.58

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 1.50

TOTAL AMOUNT OF CLAIM $ 38.08

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date May 18, 19 76

Title CLERK

COPY OF ENT HERE

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows:

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